

### REMARKS

The Office Action mailed September 19, 2005, of the present application has been reviewed. As a result of the foregoing amendments, claims 1-25, 28 and 31 are pending in the application. Of these, claims 4-5, 12-14, 19-25, and 28 are withdrawn from consideration by the Examiner.

It is believed that the amended claims along with the remarks now clearly differentiate the novel characteristics of the present invention from the prior art and thus further and favorable reconsideration is solicited. No new matter has been added to the application.

The present invention relates to the support structure which makes it possible to hang decorative articles such as flower pots or seasonal decorations on a vertical post or column wherein the suspended article is spaced horizontally away from the column, preferably on several sides. The invention is not fairly suggested by the prior art of record and, accordingly, further reconsideration is respectfully requested.

The invention includes a load supporting ring that surrounds the vertical object to which the assembly is to be mounted. A plurality of mounting brackets is recited as is required in the practice of the invention in order to maintain the horizontal space between the supporting member and the vertical object, uniformly around the object. It will be apparent from the drawings that the mounting brackets spaced around the object will counterbalance each other and tend to maintain the supporting member in a level horizontal orientation when the assembly is mounted to the vertical object.

The claims have been further amended to additionally distinguish the invention from the prior art by specifying that the hanging items are positioned below the elevation

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of the load-supporting member and the items in their entirety are horizontally spaced away from the vertical object.

The rejection of the claims over the convertible tree stand patent to Gohn is respectfully traversed. Note that in Gohn the tree stand is anchored to a column or tree by a cable 36 and a plurality of strap members 28. The tree stand would not function safely without these items. The present claims exclude such supporting means and require an open space between the load-supporting member that encircles the vertical object which limitations are clearly not met by Gohn. Furthermore, there is no suggestion in any of the art as to how Gohn would be modified in order to arrive at the present invention.

The claims were further rejected as being anticipated by the patent to Cuba. Cuba has a tree-mounted deer stand is place above a stump or limb stub of a tree. Threaded anchor bolts 24 are used to secure the seat 12 to the stump. This structure is also outside the scope of and avoided by the present claims. Note that the suspended items in the present case are suspended beneath the load-supporting member and each of its items in its entirety is horizontally spaced away from the object. The Cuba tree stand could not function in this manner because it depends on being centrally located above the stump. Accordingly, further reconsideration and withdrawal of the rejection over Cuba is respectfully solicited.

The rejection under the dependent claim 3 and 9 over the proposed combination of Gohn and Riblet is also respectfully traversed. Applicant does not pretend to have invented the world's first threaded connection. Riblet shows a scaffold bracket wherein certain parts are connected together by bolts, and it would be equally well taken to

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merely take judicial notice of the fact that bolts and other threaded connectors have previously been used. However, it is respectfully submitted that the specific arrangement set forth in the claims and described in the present application has not existed in the prior art. Thus, it is respectfully submitted that the dependent claims should be allowed, along with the independent claim 1.

The proposed combination of Cuba and the '974 patent to Miller is also respectfully traversed. Miller simply shows a brace having a pointed end. In other respects, the teachings have no relevance to the present claims. Note in that regard, Miller utilizes a chain attached to a tree for supporting a stand which supports a person. The Miller '974 patent relies on a chain tightly encircling a tree and utilizes a mounting bracket extending from the outer end of the platform downwardly to a point on the trunk of a tree. This arrangement is inherently unbalanced and requires the use of a rope, cable or chain fastened tightly around the tree trunk in order to maintain the hunting platform in place against the tree. Nothing in this disclosure, however, would lead one to arrive at the present invention. The arrangement of the present invention enables the use of the plurality of mounting brackets that enable positioning of the supporting loop member at an equal horizontal distance from all sides of the column or post around which the support bracket assembly of the present invention is intended to be mounted. Also, in the case of an irregularly shaped vertical object such as a tree, the positioning of the supporting loop member is adjustable to a degree by raising or lowering of the elevation of the first or tree-contacting ends of the individual brackets. Such flexibility is nowhere provided by the prior art, which is focused on objectives different than those achieved by the present invention.

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The combination of Gohn and Miller '896 is also respectfully traversed. The '896 patent is cited to show the use of a mar-preventing pad at the end of a support bracket. However, it is respectfully submitted that the substitution of the pads of Miller, et al, on the convertible tree stand of Gohn would not be obvious, as such an arrangement would be hazardous to an occupant of the tree stand. Also, the user of a tree stand is generally not concerned with marring the tree. Instead, the user wishes the support of the stand to be firmly anchored so that he does not fall when climbing into or occupying the stand.

Claim 31 has been amended to be dependent on claim 1 in order to simplify issues and, thus is believed to be patentable along with the base claim 1. The proposed combination of Gohn and Krier, et al, does not have relevance to the claim as amended.

In summary, it is respectfully submitted that the present claims are in no way suggested nor anticipated by any of the prior art nor any proposed combination of the prior art references. The present invention, while being relatively simple, is respectfully submitted to be novel and unobvious as defined the amended claims. Accordingly, favorable reconsideration of the claims as amended is earnestly solicited.

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**CONCLUSION**

In light of the foregoing, reconsideration of the rejections and withdrawal thereof is requested. It is respectfully submitted that the application as amended is now in condition for allowance. Such action at this time is urged.

In the event any further matters requiring attention are noted by Examiner, or in the event that prosecution of this application can otherwise be advanced thereby, a telephone call to Applicant's undersigned representative at the number shown below is invited.

Respectfully submitted,

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12/13/05

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